

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

STACY McKINLEY

v.

BANK OF AMERICA; RECONTRUST
COMPANY; and GREEN TREE
SERVICING, LLC

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No. 3-13-0883

ORDER

Pursuant to the order entered January 9, 2014 (Docket Entry No. 23), counsel for the parties called the Court on February 20, 2014, at which time the following matters were addressed:

1. Counsel for defendant Green Tree Servicing, LLC ("Green Tree") advised that the plaintiff must obtain an assignment of the interest of her ex-husband in the property at issue to be approved for a loan modification or she must pursue refinancing the mortgage. Counsel also expressed concern that the plaintiff might not be approved for a loan modification since there had been no payments in over 5-1/2 years.

2. By February 24, 2014, plaintiff's counsel will provide a draft assignment to counsel for Green Tree. Counsel for defendant Green Tree will advise plaintiff's counsel whether any additional or different language should be included in the assignment. Thereafter, plaintiff's counsel shall contact plaintiff's ex-husband for him to execute the assignment of his interest in the property to the plaintiff.

3. In the meantime, counsel for defendant Green Tree shall determine if the length of time during which the plaintiff has made no payments will preclude her from a loan modification. If so, the plaintiff will determine whether to pursue refinancing with a financial institution or to pursue this litigation.

4. Counsel for the parties shall convene another telephone conference call with the Court on **Thursday, March 20, 2014, at 4:00 p.m.**, to be initiated by counsel for defendant Green Tree, to address the status of the plaintiff's efforts to obtain a loan modification.

It is so ORDERED.


JULIET GRIFFIN
United States Magistrate Judge